

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Group:

Attorney Docket #.: 1780

In re:

Applicant(s): HOFSAESS, M.

Serial No.: 10/069,452

Filed: 10/25/2001

PETITION TO REVIVE

December 14, 2006

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Applicant herewith petitions to revive the subject application.

Applicant herewith states that the delay from the due date for reply for the date of filing of a grantable petition was unintentional.

The subject application became abandoned because applicant did not respond to a Notification of Missing Requirements mailed on May 20, 2002.

On March 24, 2004, application caused to be filed a Petition to Withdraw Holding of Abandonment, of which a copy is attached.

Although periodic status requests were filed, the petition was never acted upon by the Petition's Branch.

Further attached hereto is a copy from the office docket book showing that the Petition was timely filed on March 25, 2004.

A recent telephone call to the Petitions Branch indicates that in fact the Petitions Branch has no record of receiving the Petition to Withdraw Holding of Abandonment.

Unfortunately, applicant is unable to locate the receipt postcard or Certificate of Mailing for the subject document.

Accordingly, applicant herewith is filing a Petition to Revive.

It is requested that the required fee be debited to the account of the undersigned, #19-4675.

Revival of the subject application is now respectfully requested.

Respectfully submitted,
/ Michael J. Striker /

Michael J. Striker
Attorney for Applicant
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Group:

Attorney Docket #.: 1780

In re:

Applicant(s): HOFSAESS, M.

Serial No.: 10/069,452

Filed: 10/25/01

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

March 24, 2004

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Applicant herewith petitions for an Order withdrawing the holding of abandonment of the subject application.

The application became abandoned because applicant did not respond to a Notification of Missing Requirements which was mailed on May 20, 2002.

However, in fact applicant did respond appropriately to the Notification of Missing Requirements and a copy thereof is attached hereto.

Further attached hereto is a copy of the receipt postcard showing receipt by the U.S. PTO of the executed Declaration on June 11, 2002, well within the term for the filing of a response to the Notification of Missing Requirements.

Accordingly, it is respectfully requested that the abandonment of the subject application be withdrawn.

Respectfully submitted,

Michael J. Striker
Attorney for Applicant
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743

Docket # 1780

PLEASE ACKNOWLEDGE RECEIPT OF:

HOFSAESS
Ser.no.: 10/069,452

Joinder Papers:
Transmittal Form, Executed Declaration,
Copy of Notice of Missing Requirements.

Fee: \$130.00

JC09 Rec'd PCT/PTO 11 JUN 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Group: Attorney Docket # 1780

Applicant(s): HOFSAESS, M.

Serial No.: 10/069,452

Filed: 10/25/2001

For : MEASURING INSTRUMENT AND METHOD FOR
DETECTING A FORCE

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

May 28, 2002

Sir:

The subject application was filed without signature of the inventors.

Declaration papers executed by the inventors are submitted herewith.

It is respectfully requested that any fee be charged to the account of the undersigned (19-4675).

Respectfully submitted,

Michael J. Striker
Attorney for Applicant(s)
Reg. No. 27233



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/069,452 | Michael HOFSAESS | 1780 |

INTERNATIONAL APPLICATION NO.

PCT/DE01/00591

I.A. FILING DATE

PRIORITY DATE

02/16/2001

02/26/2000

Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

CONFIRMATION NO. 1445

371 FORMALITIES LETTER



OC00000008149428

Date Mailed: 05/20/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/069,452 | PCT/DE01/00591 | 1780 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

DECLARATION AND POWER OF ATTORNEY FOR NATIONAL STAGE OF PCT PATENT APPLICATION

As a below-named inventor, I hereby declare that:

Michael HOFSAESS

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **MEASURING INSTRUMENT AND METHOD FOR DETECTING A FORCE** the specification of which was filed as PCT International Application number PCT/DE 01/00591 on February 16, 2001.

I hereby state that I believe the named inventor or inventors in this Declaration to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365 (b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior foreign application(s):

Priority claimed:

| | | | | |
|-----------------------------|-----------------------------|-----------------------------|------------|-----------|
| <u>100 09 168.7</u> | <u>GERMANY</u> | <u>FEBRUARY 26, 2000</u> | <u>X</u> | |
| (Number) | (Country) | (Date filed) | Yes | No |
| <u> </u> | <u> </u> | <u> </u> | <u>Yes</u> | <u>No</u> |
| (Number) | (Country) | (Date filed) | Yes | No |

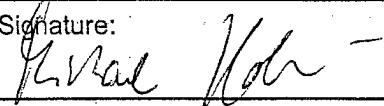
As a named inventor, I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Michael J. Striker, Reg. No. 27233

Direct all telephone calls to Striker, Striker & Stenby at telephone no.: (631) 549 4700 and address and all correspondence to:

STRIKER, STRIKER & STENBY
103 East Neck Road
Huntington, New York 11743
U.S.A.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statement may jeopardize the validity of the application or any patent issued thereon.

| | | |
|---|------------------------|---|
| Signature:  | Date: 29.10.01 | Residence and Full Postal Address: Rosswager Strasse 2 71665 Vaihingen/Enz Germany |
| Full Name of First or Sole Inventor: Michael HOFSAESS | Citizenship: GERMAN | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Second Inventor: | Citizenship: | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Third Inventor: | Citizenship: | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Fourth Inventor: | Citizenship: | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Fifth Inventor: | Citizenship: | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Sixth Inventor: | Citizenship: | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Seventh Inventor: | Citizenship: | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Eighth Inventor: | Citizenship: | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Ninth Inventor: | Citizenship: | |

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

PATENTS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Michael HOFSAESS

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherExecution Date: October 23, 2001

2. Name and address of receiving party(ies):

Name: ROBERT BOSCH GMBHAddress: WERNERSTRASSE 1City: STUTTGART

State/Prov.: _____

Country: GERMANYZIP: D-70442

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.

Filing date

B. Patent No.(s)

10/069,45210/25/2001

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: MICHAEL J. STRIKERRegistration No. 27233Address: 103 EAST NECK ROADCity: HUNTINGTONState/Prov.: NYCountry: U.S.A.ZIP: 11743

6. Total number of applications and patents involved:

17. Total fee (37 CFR 3.41):.....\$ 40.00☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☒ Authorized to be charged to deposit account

8. Deposit account number:

19-4675

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*MICHAEL J. STRIKERMAY 29, 2002

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

2

ASSIGNMENT

In consideration of value received, I, having a residence and post office address as stated below next to my name, the sole inventor (if only one name is listed below), or a joint inventor (if plural inventors are listed below), of an invention described in an application for a United States Patent entitled:

MEASURING INSTRUMENT AND METHOD FOR DETECTING A FORCE


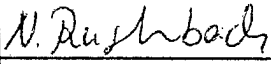
Executed by me on the date indicated next to my name and address:

Sell and assign to **Robert Bosch GmbH**

having a business at **Stuttgart, Germany**

its successors, assigns or nominees, hereinafter referred to as "Assignee", my entire right, title and interest in and to said invention as disclosed, shown and described in said application for a United States Patent,;

and in and to all applications for patent(s) for said invention, in all countries of the world, including all divisions, reissues, continuations, substitutions and extensions thereof and all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property, including rights of priority, resulting from the filing of any of said applications; and I authorize and request any official whose duty it is to issue patents, to issue any patent on said invention or resulting therefrom to said Assignee, and I agree that on request and without further consideration, but at the expense of said Assignee, I will communicate to said Assignee or its representative all facts known to me respecting said invention and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue, or other applications, make all rightful oaths and declarations, and generally do everything possible to aid said Assignee to obtain and enforce proper patent protection for said invention in all countries.

| | | |
|---|---|---|
| Signature:  | Date: 28.10.01 | Residence and Full Postal Address: Rosswager Strasse 2 71665 Vaihingen/Enz Germany |
| Full Name of First or Sole Inventor: Michael HOFSAESS | Witness:  | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Second Inventor: | Witness: | |
| Signature: | Date: | Residence and Full Postal Address: |
| Full Name of Third Inventor: | Witness: | |

Ruhmle
Ser No. 10/432,074
IDS

Janssen
Ser No. 10/025,014
IDS

Fair
Ser No. 10/029,200
IDS

March 25, 2004

Merkel
Ser No. 09/831,056
Amend

Meils
Ser No: 10/149,297
Amend

Hofsaess
Ser No: 10/069,452
Pet to withdraw holding of H5

Rughe
Ser No: 09/095,397
Supp Brief on Appeal

MM: Yukon
~~Ser No: 76/445,387~~
Transluminant Ymbs
Amend

Rast
Ser No: 09/579,103
Request for ID consideration